UNITED
NATIONS

E

Economic and Social Council

Distr.
LIMITED

E/CN.17/1996/L.23
2 May 1996

ORIGINAL: ENGLISH

COMMISSION ON SUSTAINABLE DEVELOPMENT
Fourth session
18 April-3 May 1996
Agenda item 6 (a)

PROTECTION OF THE ATMOSPHERE (AGENDA 21, CHAPTER 9) AND PROTECTION OF THE OCEANS AND ALL KINDS OF SEAS (AGENDA 21, CHAPTER 17)

Draft decision submitted by the Chairman

Protection of the oceans, all kinds of seas, including enclosed and semi-enclosed seas, and coastal areas and the protection, rational use and development of their living resources

1. The Commission takes note of the report of the Secretary-General on the subject of chapter 17 of Agenda 21 (E/CN.17/1996/3 and Add.1) entitled, "Protection of the oceans, all kinds of seas, including enclosed and semi-enclosed seas, and coastal areas and the protection, rational use and development of their living resources".

2. The Commission reaffirms the common aim of promoting the sustainable development, conservation and management of the coastal and marine environment. It stresses that action at the national, subregional and regional levels must play the prime role, but that effective arrangements are needed within global institutions for establishing their coherent priorities for action. It affirms that decisions on questions affecting the marine environment must be the result of an integrated approach taking into account all relevant environmental, social and economic factors, including the special requirements of developing countries, and the best available scientific evidence. To this end, it supports collaboration between the holders of such information and those concerned with the formulation of policies including national policy makers. Such collaboration should reflect a precautionary approach taking into account the uncertainties in the information available and the related risks for people and resources. The Commission therefore states that international arrangements for decision-making must recognize the importance of financial resources, transfer of environmentally sound technology, capacity-building, resource ownership and

management, and the exchange of information as well as know-how, among developing and developed countries and countries with economies in transition.

3. The Commission welcomes the considerable progress in recent intergovernmental negotiations related to oceans and seas. The entry into force in 1994 of the United Nations Convention on the Law of the Sea 1/ was a fundamental achievement and provides the framework for the protection of the marine environment. Other recent successes include, inter alia, the Agreement to Promotion Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas; 2/ the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982; 3/ the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks 4/ the Code of Conduct for Responsible Fisheries; 5/ and the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities (UNEP, November 1995) (A/51/116, annex II). The immediate need is for the Governments concerned to participate in and implement these agreements.

4. The Commission also welcomes the Jakarta initiative entitled "Conservation and sustainable use of marine and coastal biological diversity" (decision II/10 of the second meeting of the Conference of the Parties to the Convention on Biological Diversity), adopted in November 1995, 6/ and the Kyoto Declaration and Plan of Action, adopted in December 1995 by the International Conference on the Sustainable Contribution of Fisheries to Food Security.

5. The Commission recognizes the importance of coral reefs and other related ecosystems as a life-support system of many countries, particularly small island developing States, and as a rich source of biodiversity. The Commission emphasizes the need for development and implementation of integrated coastal and marine area management plans to deal with issues relating to the coastal and marine environment. To this end the Commission welcomes the Call to Action of the International Coral Reef Initiative (ICRI) of June 1995 as a means to address threats to coral reefs and related ecosystems and the inauguration of the 1997 International Year of the Reefs (IYR). The Commission likewise

---

1/ Official Records of the Third United Nations Conference on the Law of the Sea, vol. XXII (United Nations publication, Sales No. E.84.V.3), document A/CONF.62/122.

2/ Rome, Food and Agriculture Organization of the United Nations, 1995.

3/ General Assembly resolution 48/263, annex.

4/ Document A/50/550, annex I; see also A/CONF.164/37.

5/ Rome, FAO, 1995.

6/ See A Call to Action: Decisions and Ministerial Statement from the Second Meeting of the Conference of the Parties to the Convention on Biological Diversity, Jakarta, Indonesia, 6-17 November 1995 (UNEP, 1996).

acknowledges that other marine ecosystems such as mangroves, estuaries and seagrass beds gather a broad variety of biodiversity and productivity and also deserve special attention. The Commission requests organizations of the United Nations system to contribute to public education on coral reefs and other coastal marine ecosystems. It urges the international community to strengthen existing institutional mechanisms and knowledge bases in these areas. The Commission further urges concerned Governments, entities within the United Nations systems, multilateral development banks, donor institutions, local communities, non-governmental organizations, the private sector and the scientific community to support the implementation of the ICRI Call to Action, launching local or national coral reef initiatives as part of their plans for integrated coastal development and management.

6. The Commission encourages States, individually and through the International Maritime Organization (IMO) and other relevant United Nations agencies and programmes, to continue taking measures to address the environmental effects of shipping.

7. The Commission takes note that with regard to offshore oil and gas activities, IMO conclusions on harmonized environmental regulations have been and are being developed in specific regional programmes. The Commission also notes that IMO supported this approach and encouraged its wider adoption, and concluded that there is no compelling need at this time to further develop globally applicable environmental regulations in respect of the exploitation and exploration aspects of offshore oil and gas activities.

8. The Commission encourages States to continue relevant national and regional reviews of the need for additional measures to address the issue of degradation of the marine environment, as called for in paragraph 17.30 of Agenda 21, taking into account the relevant expertise of IMO, the United Nations Environment Programme (UNEP) and the Division for Ocean Affairs and the Law of the Sea of the United Nations Secretariat. To this end, it calls for partnership, within specific regions, between Governments and the private sector.

9. The Commission encourages relevant and competent international and regional bodies to make available appropriate inputs to expert meetings to be held in the Netherlands on offshore oil and gas activities, in which national and regional experiences could be exchanged, and invites the Netherlands and Brazil, where a regional meeting recently took place on this subject, to make available to Commission members and other interested States the outcome of these expert meetings.

10. The Commission urges countries that have not yet done so to sign, ratify and implement the International Convention for the Prevention of Pollution from Ships (MARPOL), the Convention on the Prevention of Marine Pollution by Dumping from Ships and Aircraft (London Convention) (1972) and the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (1989).

11. The Commission calls on States to adopt, according to their national policies and priorities and with appropriate financial and technical support, appropriate measures to ensure that the management of their watercourses, inland

waters and the related catchments are consistent with the aims of their integrated coastal area management. It also calls for account to be taken of the potential impact of decisions on freshwater management systems upon the coastal seas into which relevant rivers drain. It requests States and entities within the United Nations system to promote programmes to guide management and corrective actions to control pollution in the larger coastal urban settlements, and requests the World Bank and regional development banks to continue developing effective means for their implementation.

12. The Commission welcomes the successful outcome of the Intergovernmental Conference to Adopt a Global Programme of Action for the Protection of the Marine Environment from Land-based Activities, held in Washington, D.C., in 1995, and decides to submit to the Economic and Social Council at its substantive session of 1996 a draft resolution to be considered by the General Assembly at its fifty-first session on the institutional arrangements for the implementation of the Global Programme of Action (see Commission decision ...).

13. The Commission endorses the request contained in the Washington Declaration on the Protection of the Marine Environment from Land-based Activities, adopted by the Intergovernmental Conference, for the Executive Director of UNEP, in close partnership with the World Health Organization (WHO), the United Nations Centre for Human Settlements (Habitat) (UNCHS), the United Nations Development Programme (UNDP) and other relevant organizations, to prepare proposals for a plan to address the global nature of the problem of inadequate management and treatment of waste water and its consequences for human health and the environment, and to promote the transfer of appropriate and affordable technology drawn from the best available techniques, and referred to in the Global Programme of Action. Such proposals are to be considered by the Governing Council of UNEP at its nineteenth session.

14. The Commission further recognizes the intention of the Governments participating in the Washington Intergovernmental Conference to take action to develop, in accordance with the provisions of the Global Programme of Action, a global, legally binding instrument for the reduction and/or elimination of emissions, discharges and, where appropriate, the elimination of the manufacture and use of the persistent organic pollutants identified in decision 18/32 adopted by the Governing Council of UNEP at its eighteenth session (see document A/50/25, annex). The nature of the obligations undertaken must be developed recognizing the special circumstances of countries in need of assistance. Particular attention should be devoted to the potential need for the continued use of certain persistent organic pollutants to safeguard human health, sustain food production and alleviate poverty in the absence of alternatives and the difficulty of acquiring substitutes and transferring technology for the development and/or production of those substitutes.

15. The Commission urges, as mentioned in paragraph 113 (d) of the Global Programme of Action, consideration by all Governments and international organizations that have expertise in the field of clean-up and disposal of radioactive contaminants to giving appropriate assistance as may be requested for remedial purposes in adversely affected areas.

16. The Commission stresses the fact that the insufficiency of research capacity and information systems is particularly noticeable in the developing world and in small island developing States. It expresses its support for the Global Ocean Observing System (GOOS), established by the United Nations Educational, Scientific and Cultural Organization/Intergovernmental Oceanographic Commission (UNESCO/IOC), and notes the initiative to develop the EuroGOOS system.